UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BENJAMIN HOLMES,   :

                                      :

                      Plaintiff,   :   14-cv-10232 (KBF)

                                      :

                     -v-   :   ORDER

                                      :

CITY OF NEW YORK, Police Officer SHAUN :
KESSLER, Shield No. 1005; Police Officer :
FLOYD DOWTIN, JR., Shield No. 1020; and :
JOHN and JANE DOE 1 through 10, :
individually and in their official capacities (the :
names John and Jane Doe being fictitious, as :
the true names are presently unknown), :

                                      :

                    Defendants.   :

                                      :

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KATHERINE B. FORREST, District Judge:

On October 7, 2015, the plaintiff in the above-referenced matter filed a letter motion (ECF No. 32) seeking to compel the defendants to comply with the Court's order of September 17, 2015. (ECF No. 30.) That order followed two unopposed letter motions by the plaintiff to compel certain discovery. (ECF Nos. 27 & 28.) The order granted the motions and directed the defendants "to provide the discovery sought no later than Thursday, October 1, 2015." (ECF No. 30.)
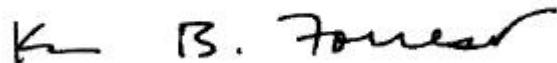
Defendants apparently failed to provide the required discovery and certainly failed to respond to the plaintiff's motion, as they had for the two prior letter motions. The Court does not understand defendants' lack of attention to this case. It is unprecedented by the City. Plaintiff's motion to compel was already granted and October 1 was the date set for production.

Defendants shall provide the discovery sought not later than **October 16, 2015** or, for continued violations of now numerous Court orders, shall be fined $250 for each day of non-compliance thereafter. If defendants do not respond by October 23, the Court shall impose the further sanction of striking defendant's answer, entering a judgment on liability for plaintiff, and proceeding to an inquest on damages.

The Clerk of the Court is directed to terminate the motion at Docket No. 32.

SO ORDERED.

Dated: New York, New York
             October 14, 2015

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                KATHERINE B. FORREST
                United States District Judge